

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

FILED IN OPEN COURT

ON

7/28/2015

Julie Richards Johnston, Clerk
US District Court
Eastern District of NC

United States of America

v.

Chavis Orlando Whitley

Case No: 5:10-CR-47-1BO

USM No: 53284-056

Date of Original Judgment: March 15, 2012

Date of Previous Amended Judgment: _____

(Use Date of Last Amended Judgment if Any)

Joseph H. Craven

Defendant's Attorney

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 72 months is reduced to 58 months in Count 4.

Count 2 remains 60 months, consecutive, resulting in a total sentence of 118 months.

If the amount of time the defendant has already served exceeds this sentence, the sentence is reduced to a "Time Served" sentence, subject to an additional period of up to ten (10) days for administrative purposes of releasing the defendant.

(Complete Parts I and II of Page 2 when motion is granted)

Except as otherwise provided, all provisions of the judgment(s) dated March 15, 2012, shall remain in effect. **IT IS SO ORDERED.**

Order Date:

7-28-15

Terrence W. Boyle
Judge's signature

Effective Date:

November 1, 2015

(if different from order date)

Terrence W. Boyle, U.S. District Judge

Printed name and title